

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FORT ROSS HOMES, INC, *et al.*,

Case No. 11-14070

Plaintiffs,

v.

Bernard A. Friedman
United States District Judge

MIKHAIL G. KHEYNSON, *et al.*,

Michael Hluchaniuk
United States Magistrate Judge

Defendants.

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REPORT AND RECOMMENDATION
DISMISSAL OF COMPLAINT

Plaintiffs, Fort Ross Homes, Inc. and ZAO Modular Housing Corporation, filed this action on September 21, 2011. (Dkt. 1). This matter was referred to the undersigned on September 22, 2011 for all pretrial proceedings. (Dkt. 3). District Judge Bernard A. Friedman then issued an order requiring plaintiffs to obtain counsel or face dismissal. (Dkt. 3). Instead of doing so, two individuals named Oleg Silin and Igor Terenin (who were not parties to the original complaint), filed a motion to amend the complaint, dropping the corporate plaintiffs and adding themselves. (Dkt. 4, 5). According to the proposed amended complaint, Mr. Terenin is an owner of Fort Ross Homes and Mr. Silin is an owner of ZAO Modular Housing Corporation. (Dkt. 5, Pg ID 36). Due to a docketing error, the corporate plaintiffs were terminated as parties and the Mr. Terenin and Mr. Silin were added as plaintiffs, without permission of the Court. As set forth in the

January 5, 2012 Order denying the motion to amend the complaint (Dkt.66), the corporate plaintiffs failed to obtain counsel as ordered by Judge Friedman. And as discussed in detail in that order, Mr. Terenin and Mr. Silin, as “owners” of the corporate plaintiffs, may not proceed as individuals representing the interests of the plaintiff corporations. For the reasons set forth in the January 5, 2012 Order, the undersigned **RECOMMENDS** that the complaint be **DISMISSED** based on the corporate plaintiffs’ failure to obtain counsel as ordered on September 22, 2011.

The parties to this action may object to and seek review of this Report and Recommendation, but are required to file any objections within 14 days of service, as provided for in Federal Rule of Civil Procedure 72(b)(2) and Local Rule 72.1(d). Failure to file specific objections constitutes a waiver of any further right of appeal. *Thomas v. Arn*, 474 U.S. 140 (1985); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1981). Filing objections that raise some issues but fail to raise others with specificity will not preserve all the objections a party might have to this Report and Recommendation. *Willis v. Sec'y of Health and Human Servs.*, 931 F.2d 390, 401 (6th Cir. 1991); *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Pursuant to Local Rule 72.1(d)(2), any objections must be served on this Magistrate Judge.

Any objections must be labeled as “Objection No. 1,” “Objection No. 2,” etc. Any objection must recite precisely the provision of this Report and

Recommendation to which it pertains. Not later than 14 days after service of an objection, the opposing party may file a concise response proportionate to the objections in length and complexity. Fed.R.Civ.P. 72(b)(2), Local Rule 72.1(d). The response must specifically address each issue raised in the objections, in the same order, and labeled as “Response to Objection No. 1,” “Response to Objection No. 2,” etc. If the Court determines that any objections are without merit, it may rule without awaiting the response.

Date: January 5, 2012

s/Michael Hluchaniuk

Michael Hluchaniuk

United States Magistrate Judge

CERTIFICATE OF SERVICE

I certify that on January 5, 2012, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Igor Terenin, Brian C. Grant and Matthew A. Tarrant, and I certify that I have mailed by United States Postal Service the foregoing pleading to the following non-ECF participant(s), at the following address(es): Oleg Silin, Elektronnny proezd 6, Moscow, RU.

s/Tammy Hallwood

Case Manager

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